

Arizona PIRG

Education Fund

July 28, 2021

Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007

Dear Chairwoman Marquez Peterson and Commissioners,

RE: AU-00000A-16-0141

On February 2, 2021, the Arizona PIRG Education Fund provided the Commission with recommendations to: *Improve & Increase Communication to the Public; Improve & Increase Opportunities for Stakeholder & Ratepayer Engagement; and Improve & Increase Commission Staff Accessibility & Accountability*¹.

The Arizona PIRG Education Fund would like to recognize and state our appreciation for the willingness of Staff to engage and listen to suggestions and the Commission's ongoing efforts to increase transparency and improve public participation. While advancements and enhancements still need to be incorporated and will need to continuously evolve with technological innovations, we are writing to supplement our previous letter with proposed recommendations for Commission Workshops.

Undoubtedly, the pandemic has made it more difficult to have robust stakeholder discussions. However, it is important to note that prior to COVID-19, Workshops at the Commission did not always have clear direction or enable sufficient stakeholder and public participation. To improve Workshops, the Arizona PIRG Education Fund respectfully suggests the following:

1. Determine a consistent process for holding and staffing Workshops. The current process(es) is not clear to the public. At times, the topic aligns with a potential Rulemaking or policy and at others, the subject can best be designated as timely or of informational interest to a Commissioner. In our view, Workshops should provide a deeper dive into areas in which the Commission may want to act in the near term and should provide an opportunity for Commissioners, Staff, stakeholders, and the public to hear varied perspectives, ask and address questions, discuss, and learn.

If Staff is responsible for coordinating, we think it is important that a majority of Commissioners support the concept and direction of the Workshop and stakeholders have an opportunity to provide input.

¹ <https://docket.images.azcc.gov/E000011601.pdf?i=1627497308160>

Regardless of whether Staff or a Commissioner's Office is point on a Workshop, the Arizona PIRG Education Fund encourages use of the Commission's notification systems and any relevant docket(s) to provide notice at least one month in advance and a request for interested presenters to notify the Commission at least two weeks prior to the Workshop. In providing notice of the Workshop, in addition to standard information such as the topic and description, date and time, and call-in information, the Commission should provide an initial set of questions to be addressed, and request information and presentations from interested parties and presenters be docketed at least three business days in advance of the Workshop. In our opinion, it is constructive for Commissioners and Staff to continue raising questions in the docket prior to the Workshop to best ensure presenters are sufficiently prepared. Further, it would be useful to add a category for Workshops to the online calendar.

2. Describe the purpose of Workshops. Our experience with Commission Workshops has been a mixed bag. The better Workshops have clearly articulated the purpose in advance including as mentioned above, stating the topic and description on the posted and emailed agenda; established a clear set of guidelines at the onset; and explicitly included and encouraged communication among participants throughout.

The Arizona PIRG Education Fund is a huge proponent of the public having an opportunity to adequately participate in governmental and other proceedings. However, we also understand the need for elected and other officials to gain and discuss specific data and insights with stakeholders that conduct research and are involved in day-to-day operations impacted by proposed and potential policies.

Even though the Commission provides opportunities for stakeholders and the public to engage, as it should, during Workshops, a more consistent approach and structure could prove beneficial.

Although the content and presenters are likely to vary by topic, and at times may include RUCO and/or other government officials, we encourage the following format be utilized where applicable:

- a. Opening remarks by Commissioners
- b. Overview of the Workshop and key topics by Staff, followed by questions and comments from participants
- c. Presentations by utilities, followed by questions, comments, and discussion from participants
- d. Presentations by industry representatives, followed by questions, comments, and discussion from participants
- e. Presentations by NGOs, followed by questions, comments, and discussion from participants
- f. Additional questions, comments, and discussion
- g. Summation of remarks and suggested next steps by Staff
- h. Closing remarks and confirmation of next steps from Commissioners

The above format is likely to work best for Workshops with a significant number of presenters while still enabling discussion along the way. In other instances, it may be beneficial for Staff to work off questions provided to presenters and the docket in advance, such as by teeing up a question and opening the floor for discussion. In this case, it would still be helpful to ensure a balance of responses – i.e., utilities, industry, NGOs – and to allow for overall comments at the end, followed by next steps from Staff and Commissioners.

Irrespective, the agenda should specify the start and end times per category while noting there is a chance the Workshop could get ahead of schedule at any point. To the greatest extent possible, there should be a clear and equal amount of time for the presentations. For example, if utilities have a total of two hours to present and address questions and comments, then industry should have the same amount of time for presentations and questions and comments, as should NGOs. By category, presenters should be encouraged to coordinate to avoid duplication or gaps, with Staff weighing in only if necessary. And time should be allocated at the end for additional questions, comments, and discussion.

The Workshop should embrace presenters from outside of Arizona, including remotely, but urge resonance to Arizona and the Commission. Additionally, all Workshops should allow for real-time engagement – including individuals wishing to ask questions and provide comments via the phone as well as through an online platform such as Zoom.

3. Incorporate previous recommendations where relevant, especially those relating to the category to *Improve & Increase Opportunities for Stakeholder & Ratepayer Engagement*. In particular, there should be a member of Staff designated to monitor the live website feature and call-in numbers. If the public isn't able to speak or listen, Staff need to immediately ensure the proceeding is paused until the issue is corrected.

The Arizona PIRG Education Fund offers the above as part of the Commission's ongoing efforts to increase transparency and improve public participation. As always, please let me know if we can be helpful.

Sincerely,



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